

## **REMARKS**

### **I. Status of the Claims**

Claims 32-33, 35, and 37-46 are currently pending in the Application. Of the remaining claims, only claim 32 is in independent format. Applicant has amended claims 32-33, 35, and 38-42, and added claims 45-46, herein.

The present Response is intended to be fully responsive to the rejections raised by the Examiner and is believed to place the application in condition for allowance. Further, the Applicant does not concede any of the Examiner's comments not particularly addressed. Favorable reconsideration and allowance of the application is respectfully requested.

### **II. Responses to Claim Rejections Under 35 U.S.C. § 112, ¶ 6**

The Examiner has rejected claims 35, 39, 42, and 42 under section 112, paragraph 6. Applicant has herein amended claim 39 to more particularly recite that "the one or more thermal detection devices can cut power to the controller." As recited in claim 32 (from which claim 39 depends), "the one or more thermal detection devices [are] able to output a variable voltage potential upon being heated." Applicant has herein made similar amendments to claim 33.

Applicant has also amended claim 39 to correct the antecedent basis for "main burner" by clarifying that 39 depends from claim 37 and by amending the term "the main burner" to "the main burner outlet."

Regarding the Examiner's rejection concerning "the structure or elements related to the electric servo operator main valve," Applicant has herein amended each claim in which an electric servo operator valve is introduced to clarify that each electric servo operator valve receives power from "the variable output voltage potential" of the "thermal detection devices" to

operate the corresponding valve. Therefore, claim 32, for example, now recites that a controller “can use the variable output voltage potential to power an electric servo operator pilot valve that can open the second pilot valve when the controller supplies power to it and that can close the second pilot valve when the controller stops supplying power to it.” Applicant has herein made similar amendments to claims 39, 40, and 42.

Regarding the Examiner’s section 112, paragraph 6 rejections of claims 35 and 41, Applicant has amended claim 35 to more particularly recite that “the selectable input device is electrically connected to the controller and can cut power to the controller.” As recited in claim 32 (from which claim 35 depends), the electric servo operator pilot valve “can close the second pilot valve when the controller stops supplying power to it.” Applicant has herein made similar amendments to claim 41.

Based on the foregoing amendments and remarks, Applicant respectfully requests withdrawal of the Examiner’s section 112, paragraph 6 rejections.

### **III. Responses to Rejections**

The Examiner rejected claims 32-33, 37, and 39-42 under 35 U.S.C. § 102(b) as being allegedly anticipated by U.S. Patent No. 2,512,173 (“Ray”). The Examiner also rejected claims 35, 38, and 43-44 under 35 U.S.C. § 103(a) as being allegedly unpatentable over Ray in view of U.S. Patent No. 4,866,363 (“Patton”). Applicant respectfully traverses.

Applicant has herein amended independent claim 32 to include the recitation “a selectable input device that is manually operable to select a temperature setting.” Applicant’s specification describes an example selectable input device:

In an exemplary embodiment, the input device 310 can rotate to different positions or settings, such as an off position 320, a pilot position 330, a low

position 340, a hot position 350, and a very hot position 360. Further, these positions might have other settings or positions between them. For example, the hot position 350 and the very hot position 360 might have temperature settings between them, as depicted in the exemplary embodiment of Figure 3.

Specification, p. 9, line 20 through p. 10, line 3. Applicant respectfully submits that Ray fails to suggest a selectable input device that is manually operable to set a temperate input.

According to the Examiner, in Ray, the component identified with reference numeral (10) allegedly corresponds to Applicant's selectable input device. Office Action, Sept. 19, 2006, p. 3. Component (10) in Ray, however, is a "bypass valve 10" that is not manually operable to select a temperature setting. *See* Ray, col. 3, lines 14-15. Instead, according to Ray, the "bypass valve 10 is provided for optional operation to pass fuel to the pilot burner 3 independently of the valve 6." Ray, col. 3, lines 15-17; Fig. 5. The bypass valve 10 of Ray, then, can control fuel flow to a pilot burner, but there is no suggestion in Ray that the bypass valve 10 can also set a temperature input, as recited in Applicant's claims. Applicant therefore submits that independent claim 32 is allowable.

Applicant respectfully submits that the cited reference fails to teach every aspect of the Applicant's claim 32. Without addressing the merits of the Examiner's statements regarding dependent claims 33, 35, and 37-44, which are not conceded, Applicant points out that pending dependent claims 33, 35, and 37-46 depend from and include all of the limitations of claim 32. Therefore, Applicant's dependent claims distinguish over the cited reference for the same reasons discussed above with regard to independent claim 32. Applicant respectfully requests that the Examiner withdraw the rejections of these claims.

## CONCLUSION

In light of the above amendments and remarks, Applicant submits that the present application is in condition for allowance and respectfully requests notice to this effect. The Examiner is requested to contact Applicant's representative below at (312) 913-0001 if any questions arise or if he may be of assistance to the Examiner.

Respectfully submitted,

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Date: January 19, 2007

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